

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

IN THE MATTER OF THE COMPLAINT
OF TIMOTHY C. WILKIE, an Alaska
resident, Owner and Operator of the F/V
COPASETIC, Number AK6389AK, for
exoneration from or limitation of liability,

Plaintiff,

Case No. 3:11-cv-00205-HRH-JDR

AMENDED ORDER ISSUING
INJUNCTION AND GRANTING
MOTION FOR ORDER
APPROVING STIPULATION
REGARDING SECURITY AND
DIRECTING ISSUANCE OF
NOTICE

Docket 17

Pursuant to application and motion filed by the Plaintiff at Docket 17 and pursuant to Supplemental Admiralty Rules F(1), (3) and (4) of the Fed. R. Civ. P., and it appearing that Plaintiff has complied with the requirements of Supplemental Admiralty Rule F(1) and Local Admiralty Rule (f)-1, and after reviewing the record and file herein, it is

ORDERED that further prosecution of any action or proceeding against Plaintiff or his property is hereby enjoined with respect to any claims that arise from or are related to the loss of the F/V COPASETIC on July 6, 2011; it is further

ORDERED that, based on the representations in the *Stipulation Regarding Security for Value of Plaintiff's Interest and Security for Costs*, the value of the F/V COPASETIC is zero (0) and that, in accordance with Supplemental Rule F(1) of the Federal Rules of Civil Procedure and Local Admiralty Rule (f)-1, security of \$1,100.00, including \$100.00 accounting for 6% interest, is appropriate; it is further

ORDERED that the Court hereby approves the posting of a bond deposited with the Court in the amount of \$1,100 on or before **March 16, 2012**; it is further

ORDERED that the Court may order said security increased if it finds that such an order is necessary as set forth in 46 U.S.C. Chapter 305, as amended; it is further

ORDERED that notice be issued by the Court in a form and substance as is consistent with the Notice of Complaint for Exoneration From or Limitation of Liability, which is filed herewith, to all persons asserting claims with respect to which the complaint seeks limitation from any and all claims arising from the July 6, 2011 loss of the F/V COPASETIC, admonishing them, pursuant to Supplemental

Admiralty Rule F(4) of the Fed. R. Civ. P., to file their respective claims with the Clerk of the United States District Court for the District of Alaska at Anchorage, Federal Building and United States Courthouse, 222 W. 7th Avenue, Box 4, Room 229, Anchorage, Alaska 99513-7564 and to serve a copy thereof on Plaintiff's attorney, Law Office of Steven J. Shamburek, 425 G Street, Suite 610, Anchorage, Alaska 99501, **on or before March 16, 2012**, or be defaulted; it is further

ORDERED that the aforesaid notice shall be published in the Anchorage Daily News once a week for four (4) successive weeks prior to the aforesaid date fixed for filing claims as provided in Supplemental Admiralty Rule F(4) of Fed. R. Civ. P. and Local Admiralty Rules, in accordance with the aforesaid Rule F(4); it is further

ORDERED Plaintiff shall cause a copy of said notice under this order shall be mailed on or before the date of the second publication (1) to the last known address of those persons as are reported to have been injured, as set forth in the Complaint, and to any attorneys known to represent them, and (2) to such other persons and other legal entities as are known to have or to assert any claim against the Plaintiffs or the Vessel and to any attorney known to represent them; it is further

ORDERED that service of this order as a restraining order may be through the Post Office by mailing a certified copy thereof to the person or persons to be restrained or to their respective attorneys or alternatively by hand; it is further

ORDERED that Claimants Neil Marolt, Brian Olsen and Derrick Branson are not required to file any additional claim or pleading to maintain their claims in this case; and

ORDERED that the beginning or prosecution of any and all suits, actions or proceedings of any nature or description whatsoever against Limitation Plaintiffs herein, their agents, servants or employees or against the Vessel, except in the present proceeding, in respect of any claim arising out of, occasioned by, consequent upon or otherwise connected with the aforesaid incident or arising during the voyage upon which the Vessel was then engaged, are hereby stayed and restrained until such time as the Court determines whether to dissolve the injunction;

IT IS SO ORDERED.

DATED this 7th day of February, 2012, at Anchorage, Alaska.

/s/ John D. Roberts
JOHN D. ROBERTS
United States Magistrate Judge